

REMARKS

In this reply, Claims 1, 32, 63, 95, and 113 are amended. No claims are cancelled or added. Therefore, Claims 1, 32, 63, and 94-113 are pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application.

I. ISSUES NOT RELATING TO PRIOR ART

A. Objection to Claim 113

The Office Action rejected Claim 113 for an informality. The Office Action indicated that the language “wherein the notification indicates” should read “wherein the second message indicates”. Applicants respectfully disagree. The original language of “wherein the notification indicates” refers to the “notification that the recruiting entity requested information” in Claim 1, upon which Claim 113 depends. To elucidate the meaning of the “wherein the notification indicates” limitations in Claim 113, Applicants have amended Claim 113 so that present Claim 113 includes limitations that begin with “wherein the notification that the recruiting entity requested information indicates”. Applicants submit that present Claim 113 has overcome the objection.

B. Rejection under § 112

The Office Action rejected Claim 95 under 35 U.S.C. § 112 as failing to comply with the written description requirement. Applicants submit that currently amended Claim 95 satisfies 35 U.S.C. § 112. Specifically, Applicants respectfully refer the Examiner to paragraph [0130] of the Specification, which describes the subject matter claimed in present Claim 95.

II. ISSUES RELATING TO PRIOR ART

Claims 1, 32, 63, and 94-113 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Erdelyi (U.S. Patent No. 6,631,522; hereinafter, “Erdelyi”) in view of the beRecruited.com website dated December 17, 2003 (hereinafter, “beRecruited.com”). The rejection is respectfully traversed.

Present Claim 1 recites, among other features, **“in response to receiving the request to view the particular motion video, sending, to the particular athlete, over a communication network, a notification that the recruiting entity requested information about the particular athlete.”** Erdelyi does not appear to teach, disclose, or suggest this feature of Claim 1. Indeed, the Office Action admitted that Erdelyi fails to disclose notifying an athlete when a recruiting entity has viewed an athlete’s personal profile (which includes the athlete’s videos).

The beRecruited.com website also does not disclose this feature of Claim 1. The beRecruited.com website allows athletes to view which coaches have “bookmarked” them (see “Connect with Coaches” section), but describes neither (1) the sending of a notification to an athlete or (2) that such a notification is sent in response to “receiving the request to view the particular motion video”, as required by Claim 1.

Indeed, the beRecruited.com website does not provide an athlete with any information that indicates that a coach has viewed the athlete’s profile or a video associated with the athlete if the coach has not “bookmarked” the athlete. In the “Athletes & Parents” section, in its answer to Question 9 (“No coaches have bookmarked me, what does this mean?”), beRecruited.com discloses that athletes should not worry if no coaches have “bookmarked” the athlete because the coaches may “choose to follow athletes with other methods” such as “saving html documents, printing profiles, using automatic notifications, creating recruit databases, etc.” However, the

athlete has no way of knowing whether a coach is “following” him or her with one of these “other” methods. In other words, on beRecruited.com, there is no way that an athlete can find out if any coaches have accessed information about the athlete if the coach has not affirmatively “bookmarked” the athlete.

Furthermore, an athlete is not automatically “bookmarked” upon the access of the athlete’s profile or the viewing of the athlete’s video. In order for an athlete to be “bookmarked”, a coach must actively click a “Bookmark this Athlete” link associated with the athlete (see answer to Question 4 in the “Coaches” section). Therefore, according to the teachings of beRecruited.com, no notification is sent to an athlete when a coach views the athlete’s profile or video. As such, the beRecruited.com website does not disclose Claim 1’s feature of “in response to receiving the request to view the particular motion video, sending, to the particular athlete, over a communication network, a notification that the recruiting entity requested information about the particular athlete.”

Since neither Erdelyi or beRecruited.com discloses at least one feature of independent Claim 1, either independently or in combination, the Applicants respectfully submit that Claim 1 is patentable over Erdelyi in view of beRecruited.com under 35 U.S.C. § 103(a).

Like Claim 1, Claims 32 and 63 also recite the feature “in response to receiving the request to view the particular motion video, sending, to the particular athlete, over a communication network, a notification that the recruiting entity requested information about the particular athlete.” Therefore, the Applicants respectfully submit that Claims 32 and 63 also are patentable over Erdelyi in view of beRecruited.com under 35 U.S.C. § 103(a).

Claims 94-113 depend from Claim 1. Consequently, each of Claims 94-113 inherits, from Claim 1, the feature “in response to receiving the request to view the particular motion video, sending, to the particular athlete, over a communication network, a notification that the

recruiting entity requested information about the particular athlete.” Therefore, the Applicants respectfully submit that Claims 94-113 also are patentable over Erdelyi in view of beRecruited.com under 35 U.S.C. § 103(a).

III. NO NEW SEARCH REQUIRED

Applicants submit that no new search is required in view of the amendments submitted herein because:

- (1) Claims 1, 32, and 63 were amended to correct a typographical error;
- (2) Claim 95 was amended in response to a 35 U.S.C. § 112 rejection; and
- (3) Claim 113 was amended in response to an objection over an informality.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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